

REMARKS

The indication that this application is in condition for allowance except for formal matters, is acknowledged.

By the present amendment, the title has been amended to be more clearly indicative of the claims invention, objected to claims 1 and 6 - 8 have been amended in the manner suggested by the Examiner and the abstract has been amended to delete "means" terminology. Accordingly, applicants submit that the informalities noted by the Examiner have been corrected and applicants submit that claims 1 - 9 should now be in condition for allowance.

With regard to the Examiner's indication concerning the claim for priority, that the International application, i.e., the PCT application filed in Japan, which was filed on January 6, 2003, was filed more than twelve months after the Japanese application which was filed on December 28, 2001, applicants submit that the PCT application was filed on the first business day of the Japanese Patent Office (JPO) at the end of the twelve month period. That is, applicants submit that the JPO was closed from December 28, 2002, the twelve month anniversary date to January 5, 2003, as described below:

- (i) JPO was closed on December 28, 2002 (last day of original period of priority) because it was Saturday;
- (ii) JPO was closed from December 29, 2002 to January 3, 2003 because the period was year-end and New Year holidays in Japan;
- (iii) JPO was closed on January 4 and 5, 2003 because these days were Saturday and Sunday, respectively; and

(iv) Therefore, the end of the period of priority was the first business day of January 6, 2003 as set forth in Paris Convention Art. 4C(3), which was the day of filing of the PCT application.

Furthermore, applicants submit that concerning holidays of the JPO, the following is an excerpt from "Law on Holidays of Administrative Agencies in Japan" (English translation).

Law on Holiday of Administrative Agencies

(Law No. 91; December 13, 1988)

(Last revised: April 2, 1992, law No. 28)

(Holiday of Administrative Agencies)

Art. 1 Days listed below are set as holidays of administrative agencies, and in principal, business of the administrative agencies is not to be executed.

- (i) Sunday and Saturday
- (ii) holidays set forth in the law of national holidays (law No. 178, 1948)
- (iii) days from December 29 through January 3 of next year (except the days set forth in (ii))

For the foregoing reasons, applicants submit that claim for priority is proper in this application and acknowledgement thereof is respectfully requested.

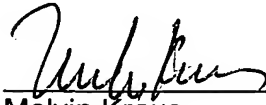
Applicants submit that the informalities have been corrected and issuance of a notice of allowance is respectfully requested.

To the extent necessary, applicants petition for an extension of time under 37 CFR 1.136. Please charge any shortage in the fees due in connection with the filing of this paper, including extension of time fees, to the deposit account of Antonelli,

Terry, Stout & Kraus, LLP, Deposit Account No. 01-2135 (Case: 1295.43993X00),
and please credit any excess fees to such deposit account.

Respectfully submitted,

ANTONELLI, TERRY, STOUT & KRAUS, LLP

A handwritten signature in cursive script, appearing to read 'Melvin Kraus', is written over a horizontal line.

Melvin Kraus

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